

108TH CONGRESS  
1ST SESSION

# S. 1891

To amend title 11, United States Code, to establish a priority for the payment of claims for duties paid to the United States by licensed customs brokers and sureties on behalf of a debtor.

---

## IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2003

Mr. GRAHAM of South Carolina (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To amend title 11, United States Code, to establish a priority for the payment of claims for duties paid to the United States by licensed customs brokers and sureties on behalf of a debtor.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Customs Business  
5       Fairness Act of 2003”.

6       **SEC. 2. AMENDMENT.**

7       Section 507(a) of title 11, United States Code, is  
8       amended by adding at the end the following:

1           “(10) Tenth, allowed unsecured claims of cus-  
2       toms brokers (as defined in section 641 of the Tariff  
3       Act of 1930 (19 U.S.C. 1641)) and sureties (as pro-  
4       vided in section 623 of the Tariff Act of 1930 (19  
5       U.S.C. 1623)) for duties, taxes, or other charges  
6       paid to the United States Customs Service on behalf  
7       of the debtor arising out of the importation of mer-  
8       chandise entered for consumption within one year  
9       before the date of the filing of the petition.”.

10 **SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENT.**

11       (a) EFFECTIVE DATE.—Except as provided in sub-  
12       section (b), this Act and the amendment made by this Act  
13       shall take effect on the date of enactment of this Act.

14       (b) APPLICATION OF AMENDMENT.—The amendment  
15       made by this Act shall apply only with respect to cases  
16       commenced under title 11, United States Code, on or after  
17       the date of enactment of this Act.

○